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SERIES III No. 2

OFFICIAL GOVERNMENT OF GOA GAZETTE



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EXTRAORDINARY

GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate,
North Goa, Magisterial Branch

Order

U/S 144 of the Code of Criminal Procedure of 1973

No. 8/8/2023-MAG/L&O/Sanq.Mun.Elect./Liquor/1010

Whereas, the Goa State Election Commission has announced the General Elections to the Sanquelim Municipal Council in North Goa District is scheduled to be held on 5-05-2023 and the Model Code of Conduct has come into force with immediate effect.

And whereas to prevent undue influence of voters through distribution of liquor and to ensure free, fair, peaceful and orderly conduct of the election process, it is felt appropriate that the timings for closure of all liquor bars/shops, pubs, provision stores etc., needs to be curtailed;

And whereas section 29(A) of the Goa Excise Duty Act, 1964 and Rules thereunder empowers the District Magistrate to order the closure of Liquor Bars, restaurants serving liquor, liquor shops, pubs, provision stores etc., at such times and for such period as may necessary and appropriate for preservation of public peace and tranquility.

And whereas in my considered opinion, there is sufficient ground for proceeding under sub section (1) of Section 144 of Code of Criminal Procedure, 1973 for closure of all bars and all shops, pubs, provision stores, restaurants where liquors are being served or sold within the jurisdiction of Sanquelim Municipal Council in North Goa District.

And whereas I am satisfied that the circumstances do not permit the serving in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub section (2) of Section 144 of the Code of Criminal Procedure, 1973 I hereby pass the order ex-parte.

Now therefore, I Mamu Hage, IAS, District Magistrate, North Goa District in exercise of the powers vested in me under section 144 of Code of Criminal Procedure, 1973 read with section 29A of the Goa Excise Act, 1964 do hereby order that serving or selling of liquor in all the liquor bars, pubs, shops, clubs, shacks, or any establishment within the jurisdiction of Sanquelim Municipal Council in North Goa District shall be closed everyday by 10:00 p.m., with immediate effect till the election Model Code of Conduct is in force. However, this order shall not apply to those establishments, provision stores etc., which are required by law to be closed before 10:00 p.m.

Only the sale and service of liquor in all liquor bars, shops, pubs, shacks, clubs, provision stores or any establishment within the jurisdiction of Sanquelim Municipal Council in North Goa District shall be stopped every day by 10:00 p.m. till Model Code of Conduct is in force. Such establishments can remain open and continue to operate without the sale and service of liquor beyond 10:00 p.m. Any violations of the above directions may be reported to the office of the District Magistrate/ Zilla Panchayat Election Officer, Panaji.

If any liquor shop/bar, pub or any establishment is found serving liquor beyond the aforesaid timings, during the said period, it shall result in cancellation of licenses and the owner or offender shall be liable for penal action under section 188

of Indian Penal Code, 1908, Section 30 of the Excise Duty Act, 1964 and other relevant provisions of laws in force.

The Flying Squads, officials of the Excise Department, Sector Magistrate, Police or any other authorized officers/officials shall act immediately in case any violation comes to their notice or reported to them and should forthwith report such cases to the Commissioner of Excise and/or the Returning Officer concerned.

Given under my hand and seal of this office on this 13th day of April, 2023.

Panaji.— The District Magistrate & MCEO (North),
Mamu Hage, IAS.

Order

U/S 144 of the Code of Criminal Procedure of 1973

No. 8/8/2023-MAG/L&O/Sanq.Mun.Elect./1011

Whereas, the Goa State Election Commission has announced the General Elections to the Sanquelim Municipal Council in North Goa District is scheduled to be held on 05-05-2023 and the Model Code of Conduct has come into force on announcement of the said schedule. As required by the directions of the Goa State Election Commission, District Administration is required to ensure free, fair and peaceful conduct of the Sanquelim Municipal Council in the North Goa District;

And Whereas, in my considered opinion there is sufficient ground for proceeding under sub section (1) of Section 144 of Criminal Procedure Code, 1973, to impose complete ban for carrying of all types of arms and fire arms and lethal weapons within the jurisdiction of Sanquelim Municipal Council in North Goa District, to ensure a free, fair, peaceful and orderly conduct of the Election process and to prevent any sort of obstructions, annoyance or injury to any person lawfully employed or for conduct of election to prevent any danger to human life or safety or disturbance of public tranquility or riot, of any affray during the electioneering period.

And whereas, I am satisfied that the circumstances do not permit serving of the notices individually in time to all the licensed Arms Holders in the District.

Now Therefore, I, Mamu Hage, IAS, District Magistrate, North Goa District, Panaji, in exercise of the powers vested in me under Section 144 of Cr. PC. 1973 do hereby prohibit the carrying of all types of arms, fire arms, ammunition, lethal weapons, in any public place, street, road squares, thorough fare, by lanes, or in any open place within the jurisdiction of Sanquelim Municipal Council in North Goa District with immediate effect until further orders;

Further, all the Arms License holders within the jurisdiction of Sanquelim Municipal Council in North Goa District are directed to deposit all their fire arms at the nearest Police Stations of their respective Jurisdiction immediately, on or before 21-04-2023. All the firearms deposited will be returned to the license holders after five days from counting i.e. after the election process is over;

Further, it is also made known that, if any person has a real threat to his or her person/property, he/ /she should approach the Director General of Police for providing necessary security by the Police, but under no circumstances will any person be allowed to carry his own personal firearm/s license or otherwise except with special permission from the undersigned.

However, the above restrictions shall not apply to Public Servants/Police/Defence Personnel and Security Personnel on duty/sportspersons who are members of National Rifle Association of India, unless they are found to be indulging in violence or posing a threat to the maintenance of law and order and peaceful conduct of elections.

Given under my hand and seal of this office on this 13th day of April, 2023.

Panaji.— The District Magistrate & MCEO (North),
Mamu Hage, IAS.

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